

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

FILED
02 NOV 20 AM 10:41

GARY CODY,
Plaintiff;

vs.

Case No. 02-CV-1430 mca/leg

ROBERT EDWARD SITLER,
JEVIC TRANSPORTATION, INC.,
a foreign corporation, and
UNITED STATES FIDELITY
AND GUARANTY;
Defendants.

MOTION TO PROCEED PRO HAC VICE

Comes now the Plaintiff, Gary Cody, and moves the court to allow present counsel to appear *pro hac vice* until local counsel can be procured. In support thereof Plaintiff states as follows:

1.

Plaintiff's counsel resides in Oklahoma and has been a member of the Oklahoma Bar Association since 1976.

2.

Plaintiff's counsel is also admitted to practice in the Eastern District of Texas, the Western District of Oklahoma, the Northern District of Oklahoma and the Eastern District of Oklahoma.

3.

Plaintiff's counsel is not admitted to any New Mexico Court, state or federal. No

application for admission is pending before any New Mexico Court.

4.

Plaintiff's counsel has represented Gary Cody in this civil action since its inception. This case was transferred to the New Mexico District from the Eastern District of Oklahoma. On November 18, 2002, Plaintiff's counsel received notice by mail dated 11/13/02 that his entry of appearance was due November 18, 2002. Plaintiff's counsel telephoned the Clerk and informed the clerk he would move to proceed *pro hac vice* until local counsel could be arranged.

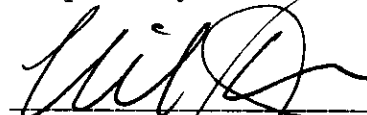
5.

Plaintiff intends to associate local counsel and proceed under D.N.M.LR 83.3. Local New Mexico counsel has been contacted but arrangements are not final.

Conclusion

Plaintiff's counsel moves the court for an order allowing him to proceed *pro hac vice* until local counsel enters an appearance.

Respectfully submitted,



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